

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

**ESTATE OF CHRISTOPHER J. DAVIS, and
DORETHA LOCK, as the Special Administrator of
The Estate of Christopher J. Davis,**

Plaintiffs,

v.

Case No.18-CV-01846

**JUAN ORITZ, WALWORTH COUNTY, a municipal
corporation, KURT PICKNELL,
TOWN OF EAST TROY, a municipal corporation,
VILLAGE OF EAST TROY, a municipal corporation,
JAMES R. SURGES, ALAN BOYES,
JEREMY SWENDROWSKI, MATTHEW WEBER,
PAUL SCHMIDT, CRAIG KNOX, JEFF PRICE,
AARON HACKETT, JOSE G. LARA,
ROBERTO JUAREZ NIEVES, JR.,
WISCONSIN MUNICIPAL MUTUAL INSURANCE COMPANY,
EMPLOYERS MUTUAL CASUALTY COMPANY, and
AMERICAN ALTERNATIVE INSURANCE CORPORATION,**

Defendants.

AFFIDAVIT OF JAMES SURGES


STATE OF WISCONSIN)
) SS
COUNTY OF WALWORTH)

I, James Surges, after first being duly sworn, state under oath as follows:

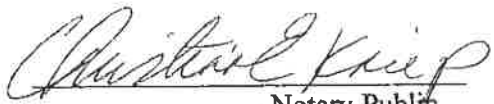
1. I am an adult resident of the State of Wisconsin. I make this Affidavit based on my own personal knowledge.
2. I served as the Chief of Police for the Town of East Troy Police Department for over thirty (30) years before retiring at the end of 2016.
3. On February 24, 2016 (herein "the date of the incident"), I was employed as the Chief of Police for the Town of East Troy Police Department (herein "the Town").

4. At the time of the incident on February 24, 2016, I was not on duty and had no knowledge of the operation until after the incident when I received phone call that a shooting occurred at Roma's Ristorante & Lounge (hereinafter Roma's). I arrived at Roma's after the Walworth County Sheriff's Department mobile command unit.
5. On the date of the incident, Sergeant Schmidt and Officer Knox had received the training mandated by the Training and Standards Bureau of the Wisconsin Department of Justice.
6. During my time as Police Chief, the Town never utilized confidential informants of its own and never ran its own drug operation such as the one at issue here. If a Town officer came across a case which involved drugs on a large scale (meaning more than simple possession), the case was referred to the Walworth County Drug Task Force.
7. During my time as Police Chief, the Department had written policies and procedures regarding the use of force and the use of deadly force. No Town officer was ever involved in an officer-involved shooting or a planned drug operation that resulted in a shooting during my tenure as chief.

I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge.


James Surges

Subscribed and sworn before me
this ~~15th~~ day of August, 2019.


_____, Notary Public
Walworth County, Wisconsin
My commission expires 2.14.20